

Response under 37 C.F.R. §1.111
Application No. 10/828,321
Attorney Docket No. 042343

REMARKS

Claims 1-20 are pending in the application and were rejected. The Office Action has rejected claims 1, 2, 4-9, 11-17 and 19 under 35 U.S.C. §102(b) as being anticipated by *Motomu* (JP 2000-058260). The Office Action has also rejected dependent claims 3, 10 and 18, and 20, under 35 U.S.C. § 103(a) as being unpatentable over *Motomu*, in view of *Okada* (USP 6,858,271), *Kato* (US 2004/0004594), and *Toda* (US 2004/0012531) respectively. Favorable reconsideration of these rejections is respectfully requested.

Independent Claim 1:

The Office Action contends that elements (2+3+2) in FIG. 2 of *Motomu* correspond to the “light emission functional layer” as recited in claim 1.

However, the “light emission functional layer” specified in claim 1 of the present application does not include an “electrode.” Because the electrode is recited as a constituent element in the present application in claim 1, apart and separate from the “light emission functional layer,” and in light of the description (page 6, line 24 through page 7, line 24) in the present specification, the (2+3+2) element of *Motomu* is not the same as the light emission functional layer of the present invention. Therefore, elements 2 and 2 in FIG. 2 of *Motomu*, more closely correspond to the light emission functional layer of the present application.

As stated above, *Motomu* has two light emission functional layers (element 2 and 2 in FIG. 2), and three electrodes (elements 1, 3, and 1 in FIG. 2), to introduce the emitted light from

each of the light emission functional layers (elements 2 and 2 in FIG. 2) into one of the respective display panels (elements 5 and 6 in FIG. 2). The metal electrode (element 3 in FIG. 2), does not allow the light to pass through it. If the metal electrode (element 3 in FIG. 2) allowed the light to pass through it, it would not be necessary to form two light emission functional layers (elements 2 and 2 in FIG. 2), as is disclosed in *Motomu*.

As described above, *Motomu* discloses two light emission functional layers combined back to back. *Motomu* does not disclose the technical idea that the electrodes are arranged on both sides of one light emission functional layer, and that both the front and rear faces allow the light to pass through, which is required by claim 1 of the present application.

The Office Action contends that element six (6) of *Motomu*, corresponds to the “transparent substrate” as set forth in claim 1. See also, element 2 of FIG. 1 of the present application. The Office Action contends that the “display plates” of *Motomu*, which are “attached” to the device, are analogous to the “transparent substrate” wherein a first electrode is “formed” thereon.

It is submitted that the Office Action has unfairly characterized the “display plates” of *Motomu* as disclosing the transparent substrate of the present invention. *Motomu* describes the display plate as containing “information of characters, graphics, etc.” See elements 5 and 6 of FIGS. 1(a) and 1(b) of *Motomu*. These display plates have pre-selected characters and graphics formed on them. In other words, the display plates cannot display different images. In order to

display a different image, the plate would need to be removed and replaced by another display plate.

In the Description of the Preferred Embodiments section of the Specification, element 2 of FIG. 1 denotes a glass substrate as the transparent substrate (page 7, lines 1-2). Therefore, the “display plates” of *Motomu*, which display an image by blocking out light, are not the same as the “transparent substrate” of claim 1.

Additionally, the first electrode in *Motomu* is not “formed” on the display plates as taught in line 2 of claim 1. *Motomu* discloses “attaching” the display plates to the electroluminescent element. Claim 1 teaches “a first electrode is formed on a transparent substrate.”

Independent Claim 11:

The Office Action rejects independent claim 11 as being anticipated by *Motomu*. The Office Action relies on the same rationale to reject claim 11, as it did in rejecting claim 1. Claim 11 involves, among other things, “a display image by light emitting pixels.” *Motomu* does not display an image by light emitting pixels, as required in claim 11. *Motomu* emits a light, which is filtered (either blocked or admitted) through a “display plate.” In other words *Motomu* requires a “display plate” in order to help produce an image.

The present invention does not require a display plate, and instead relies on the combination of individual pixels to produce an image. *Motomu* does not disclose any form of displaying an image using pixels. Therefore, because *Motomu* does not disclose “a display image

Response under 37 C.F.R. §1.111
Application No. 10/828,321
Attorney Docket No. 042343

by light emitting pixels,” as recited in line 3 of claim 11, *Motomu* does not disclose what is required in claim 11.

In view of the aforementioned remarks, Applicant submits that the claims are in condition for allowance. Applicant requests such action at an early date.

If the Examiner believes that this application is not now in condition for allowance, the Examiner is requested to contact Applicant's undersigned attorney to arrange for an interview to expedite the disposition of this case.

If this paper is not timely filed, Applicant respectfully petitions for an appropriate extension of time. The fees for such an extension or any other fees that may be due with respect to this paper may be charged to Deposit Account No. 50-2866.

Respectfully submitted,

WESTERMAN, HATTORI, DANIELS & ADRIAN, LLP



Thomas E. Brown
Attorney for Applicant
Registration No. 44,450
Telephone: (202) 822-1100
Facsimile: (202) 822-1111

TEB/meu